

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR MAY 14, 2008
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** April 23, 2008
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. CONDITIONAL USE PERMIT NO. UP08-0012, Massage Envy:** A request to locate a fixed location massage establishment within a 3,324 square foot suite located at 581 E. Calaveras Blvd. (APN: 028-12-025), zoned Town Center. Applicant: Jeff Guest. Staff Contact: Tiffany Kunsman (408) 586-3283. PJ # 2520. *(Recommendation: Close the Public Hearing and adopt Resolution No. 08-015 approving the project subject to Conditions of Approval)*

X. UNFINISHED BUSINESS

- *2. ASPEN CONSTRUCTION HOURS THREE MONTH REVIEW:** A three-month review of Special Condition No. 23a, relating to weekend construction noise from the Aspen project at 1666 South Main Street. Staff Contact: Cindy Maxwell (408) 586-3287. *(Recommendation: Note receipt and file.)*

XI. PRESENTATION:

- 3. REVIEW OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):** Staff will provide an overview of CEQA and the role of the Planning Commission. Staff Contact: James Lindsay (408) 586-3273.

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 28, 2008

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Cliff Williams-regular member, Gunawan Ali-Santosa-regular member, Sudhir Mandal-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Committee Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. Minor Site Development Permit No. MS08-0002:** A request for a one day corporate event to have a walk/run-athon along the Coyote Trail located at 601 McCarthy Blvd. (APN: 086-02-039) zoned Industrial Park (MP). Applicant: SanDisk. Staff Contact: Tiffany Kunsman (408) 586-3275. *(Recommendation: Approve MS08-0002, SanDisk Fun Run/Walk Contest, subject to the attached conditions of approval.)*
- b. Minor Site Development Permit No. MS08-0001:** A request for a one day outdoor Skate/Action Sports Demonstration and amateur skateboard contest with live music located in the east parking lot of the Great Mall. (APN: 086-01-043) zoned General Commercial (C2). Applicant: Zumiez. Staff Contact: Tiffany Kunsman (408) 586-3275. *(Recommendation: Approve MS08-0001, Zumiez Couch Tour, subject to the attached conditions of approval.)*

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT SUBCOMMITTEE at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.**

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A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features